

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

WILD VIRGINIA,
VIRGINIA WILDERNESS COMMITTEE,
UPSTATE FOREVER,
SOUTH CAROLINA WILDLIFE FEDERATION,
NORTH CAROLINA WILDLIFE FEDERATION,
NATIONAL TRUST FOR HISTORIC
PRESERVATION,
MOUNTAINTRUE,
HAW RIVER ASSEMBLY,
HIGHLANDERS FOR RESPONSIBLE
DEVELOPMENT,
DEFENDERS OF WILDLIFE,
COWPASTURE RIVER PRESERVATION
ASSOCIATION,
CONGAREE RIVERKEEPER,
THE CLINCH COALITION,
CLEAN AIR CAROLINA,
CAPE FEAR RIVER WATCH,
ALLIANCE FOR THE SHENANDOAH
VALLEY, and
ALABAMA RIVERS ALLIANCE,

Plaintiffs,

v.

COUNCIL ON ENVIRONMENTAL QUALITY,
and
MARY NEUMAYER IN HER OFFICIAL
CAPACITY AS CHAIR OF THE
COUNCIL ON ENVIRONMENTAL
QUALITY,

Defendants,

and

Case No.
3:20CV00045

AMERICAN FARM BUREAU FEDERATION,)
AMERICAN FOREST RESOURCE COUNCIL,)
AMERICAN FUEL & PETROCHEMICAL)
MANUFACTURERS,)
AMERICAN PETROLEUM INSTITUTE,)
AMERICAN ROAD & TRANSPORTATION)
BUILDERS ASSOCIATION,)
CHAMBER OF COMMERCE OF THE UNITED)
STATES OF AMERICA,)
FEDERAL FOREST RESOURCE COALITION,)
INTERSTATE NATURAL GAS ASSOCIATION)
OF AMERICA, and)
NATIONAL CATTLEMEN’S BEEF)
ASSOCIATION,)
Defendants-Intervenors.)

ORDER

It appearing proper, it is **ORDERED** as follows:

1. Oral argument is scheduled on the Plaintiffs’ Motion for Summary Judgment, ECF No. 105, the Defendants’ Cross-Motion for Summary Judgment, ECF No. 129, and the Defendants-Intervenors’ Cross-Motion for Summary Judgment, ECF No. 128, for April 21, 2021, at 1:30 p.m., by Zoom video teleconferencing. The court will allow one hour for Plaintiffs’ argument on their Motion for Summary Judgment; one hour and a half for Defendants and Defendants-Intervenors on their Cross-Motions for Summary Judgment and their replies to Plaintiffs’ Motion for Summary Judgment, the time to be divided as these parties may agree; 45 minutes

for Plaintiffs for reply; and 15 minutes for Defendants and Defendants-Intervenors for their replies, the time to be divided as these parties may agree.

2. Counsel must be aware that the court presently has scheduled criminal cases that day that require priority; it is hoped that those cases may be resolved before April 21, but if not, this oral argument may have to be rescheduled with little prior notice.
3. Members of the public and interested parties may listen to the argument but recording or rebroadcasting of the proceeding is prohibited and any violation may result in sanctions by the court.
4. The parties and amici shall forthwith submit to the chambers of the undersigned two courtesy copies of their briefs and memoranda relating to summary judgment, including any exhibits thereto.

ENTER: March 1, 2020

/s/ JAMES P. JONES

United States District Judge